

Docket No. PDI-2K01

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Title: APPARATUS AND METHOD FOR ENABLING HIGH RESOLUTION FILM  
THICKNESS AND THICKNESS-UNIFORMITY MEASUREMENT**

the specification of which (check one)

☒ is attached hereto.

— was filed on — as Application Serial No. — and was amended on —

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)  
Priority Claimed

— Yes — No  
(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/249,600 Nov. 16, 2000 Pending  
(Application Serial No.) (Filing Date) (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Bo-In Lin (#33,948)  
Send correspondence to: 13445 Mandoli Drive, Los Altos Hills, CA 94022

Direct Telephone Calls to: (name and telephone number) Bo-In Lin, (650) 949-0418 (Tel) 949-4118 (Fax)

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## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Full name of sole or first inventor: James A. McMillenJames A. McMillen  
Inventor's signature:11-15-2001

Date:

378 Saffish Isle, Foster City, California 94404

Residence:

United States of America

Citizenship:

1050 Kifer Road, Sunnyvale CA 94086

Post office address:

Evan Grund

Full name of second joint-inventor:

Inventor's signature:

Date:

5932 Amapola Drive, San Jose, California 95129

Residence:

United States of America

Citizenship:

1050 Kifer Road, Sunnyvale CA 94086

Post office address:

Full name of third joint-inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post office address:

Full name of fourth joint-inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post office address:

Docket No. PDI-2K01

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

**Full name of sole or first inventor:** James A. McMillen

**Inventor's signature:**

Date \_\_\_\_\_

**378 Sailfish Isle, Foster City, California 94404**

## Residence:

**United States of America**

### Citizenship:

**1050 Kifer Road, Sunnyvale CA 94086**

**Post office address:**

**Evan Grund**

**Full name of second joint inventor:**

*Robert Grumel*

Nov. 15, 2001

**Inventor's signature:**

Date: \_\_\_\_\_

**5932 Amapola Drive, San Jose, California 95129**

**Residence:**

**United States of America**

**Citizenship:**

**1050 Kifer Road, Sunnyvale CA 94086**

**Post office address:**

**Full name of third joint-inventor:**

**Inventor's signature:**

Date: \_\_\_\_\_

**Residence:**

## Citizenship:

**Post office address:**

**Full name of fourth joint-inventor:**

**Inventor's signature:**

Date: \_\_\_\_\_

**In the United States Patent and Trademark Office**

First/Sole Applicant: James A. McMillen Joint/Second Applicant: Evan Grund  
Third Applicant:

**Title: OPTICAL APPARATUS AND METHOD FOR ENABLING HIGH RESOLUTION FILM  
THICKNESS AND THICKNESS-UNIFORMITY MEASUREMENTS**

**Small Entity Declaration - Small Business Concern**

I hereby declare that I am an

☐ the owner of the small business concern identified below:

☒ an officer of the small business concern empowered to act on behalf of  
the concern identified below:

NAME OF CONCERN Process Diagnostics, Inc.

ADDRESS OF CONCERN: 1050 Keifer Road, Sunnyvale, CA 94086

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above entitled invention of the above applicants and the specification filed herewith.

I acknowledge a duty to file, in the above application for patent notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.



Signature of Officer of Small Business Concern

Date

11-15-2001

James A. McMillen, President

Name and Title of Officer

1050 Keifer Road, Sunnyvale CA 94086

Address of Officer